

Message

From: Tierney, James M (DEC) [james.tierney@dec.ny.gov]
Sent: 7/2/2018 5:58:03 PM
To: Batiuk, Rich [Batiuk.Richard@epa.gov]
CC: Kosinski, Kenneth A (DEC) [kenneth.kosinski@dec.ny.gov]; Lauren Townley [lauren.townley@dec.ny.gov]; Davis, Cassandra M (DEC) [Cassandra.Davis@dec.ny.gov]; Tang, Koon S (DEC) [koon.tang@dec.ny.gov]; Izraeli, Ruth L. [Izraeli.Ruth@epa.gov]; Gratz, Jeff [Gratz.Jeff@epa.gov]; Laureano, Javier [laureano.javier@epa.gov]; Power, Lucinda [power.lucinda@epa.gov]; Sweeney, Jeff [sweeney.jeff@epa.gov]; Gary Shenk [gshenk@chesapeakebay.net]
Subject: Re: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

Is there a call-in number? Thanks.

Sent from my iPhone

On Jul 2, 2018, at 1:04 PM, Batiuk, Rich <Batiuk.Richard@epa.gov> wrote:

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Jim/Ken-

Attached please find a supplemental set of tables and graphics we will walk you through during this afternoon's conference call. Thanks for your patience as we worked to respond to your excellent questions and additional asks.

Thanks, Rich

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From: Tierney, James M (DEC) [mailto:james.tierney@dec.ny.gov]
Sent: Monday, July 02, 2018 10:07 AM
To: Batiuk, Rich <Batiuk.Richard@epa.gov>; Kosinski, Kenneth A (DEC) <kenneth.kosinski@dec.ny.gov>; Lauren Townley <lauren.townley@dec.ny.gov>; Davis, Cassandra M (DEC) <Cassandra.Davis@dec.ny.gov>; Tang, Koon S (DEC) <koon.tang@dec.ny.gov>
Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Power, Lucinda <power.lucinda@epa.gov>; Sweeney, Jeff <sweeney.jeff@epa.gov>; Gary Shenk <gshenk@chesapeakebay.net>
Subject: RE: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

Many thanks for all the expedited efforts. Jim

From: Batiuk, Rich [mailto:Batiuk.Richard@epa.gov]
Sent: Monday, July 02, 2018 10:05 AM

To: Tierney, James M (DEC) <james.tierney@dec.ny.gov>; Kosinski, Kenneth A (DEC) <kenneth.kosinski@dec.ny.gov>; Townley, Lauren A (DEC) <Lauren.Townley@dec.ny.gov>; Davis, Cassandra M (DEC) <Cassandra.Davis@dec.ny.gov>; Tang, Koon S (DEC) <koon.tang@dec.ny.gov>
Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Power, Lucinda <power.lucinda@epa.gov>; Sweeney, Jeff <sweeney.jeff@epa.gov>; Gary Shenk <gshenk@chesapeakebay.net>
Subject: RE: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

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Jim/Ken-

Thanks for your follow up emails. Jeff Sweeney is working up a set of pie charts for nitrogen and phosphorus in the same format as we developed for Maryland. And Gary Shenk is drafting up responses to your Friday afternoon email, Jim. We are working to get everyone both sets of information in advance of our 2PM conference call today.

Thanks, Rich

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From: Tierney, James M (DEC) [<mailto:james.tierney@dec.ny.gov>]
Sent: Monday, July 02, 2018 9:40 AM
To: Kosinski, Kenneth A (DEC) <kenneth.kosinski@dec.ny.gov>; Batiuk, Rich <Batiuk.Richard@epa.gov>; Lauren Townley <lauren.townley@dec.ny.gov>; Davis, Cassandra M (DEC) <Cassandra.Davis@dec.ny.gov>; Tang, Koon S (DEC) <koon.tang@dec.ny.gov>
Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Power, Lucinda <power.lucinda@epa.gov>; Sweeney, Jeff <sweeney.jeff@epa.gov>; Gary Shenk <gshenk@chesapeakebay.net>
Subject: RE: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

Yes, please. And for phosphorus as well.

Regards, Jim

From: Kosinski, Kenneth A (DEC)
Sent: Monday, July 02, 2018 9:37 AM
To: Batiuk, Rich <Batiuk.Richard@epa.gov>; Tierney, James M (DEC) <james.tierney@dec.ny.gov>; Townley, Lauren A (DEC) <Lauren.Townley@dec.ny.gov>; Davis, Cassandra M (DEC) <Cassandra.Davis@dec.ny.gov>; Tang, Koon S (DEC) <koon.tang@dec.ny.gov>
Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Power, Lucinda <power.lucinda@epa.gov>; Sweeney, Jeff <sweeney.jeff@epa.gov>; Gary Shenk <gshenk@chesapeakebay.net>
Subject: RE: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

Rich –

Similar to what you did for MD, we were also looking for the breakdown of the percent of total increase in NY's Phase 6 nitrogen loads due to changes in background conditions.

From: Batiuk, Rich [mailto:Batiuk.Richard@epa.gov]
Sent: Saturday, June 30, 2018 9:01 PM
To: Tierney, James M (DEC) <james.tierney@dec.ny.gov>; Kosinski, Kenneth A (DEC) <kenneth.kosinski@dec.ny.gov>; Townley, Lauren A (DEC) <Lauren.Townley@dec.ny.gov>; Davis, Cassandra M (DEC) <Cassandra.Davis@dec.ny.gov>; Tang, Koon S (DEC) <koon.tang@dec.ny.gov>
Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Power, Lucinda <power.lucinda@epa.gov>; Sweeney, Jeff <sweeney.jeff@epa.gov>; Gary Shenk <gshenk@chesapeakebay.net>
Subject: RE: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

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Jim-

Thanks for your detailed email message—I look forward to talking with you and your team on Monday afternoon. I will work with Gary Shenk on Monday morning and get you a detailed answer prior to our 2PM conference call. I got back late on Friday night after traveling to Ann Arbor Michigan last week to work with a host of Great Lakes colleagues, sharing our Chesapeake Bay experiences with modeling and monitoring.

It's great to see you digging into the numbers—I have always admired your willingness to really understand the issues in front of you as you work towards a decision. Gary and I will share a set of numbers which work you through your questions and hopefully provide you with the answers you are seeking.

Thanks, Rich

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From: Tierney, James M (DEC) [mailto:james.tierney@dec.ny.gov]
Sent: Friday, June 29, 2018 4:16 PM
To: Batiuk, Rich <Batiuk.Richard@epa.gov>; Kosinski, Kenneth A (DEC) <kenneth.kosinski@dec.ny.gov>; Lauren Townley <lauren.townley@dec.ny.gov>; Davis, Cassandra M (DEC) <Cassandra.Davis@dec.ny.gov>; Tang, Koon S (DEC) <koon.tang@dec.ny.gov>
Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Gratz, Jeff <Gratz.Jeff@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Power, Lucinda <power.lucinda@epa.gov>; Sweeney, Jeff <sweeney.jeff@epa.gov>; Gary Shenk <gshenk@chesapeakebay.net>
Subject: RE: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

Hi Rich,

Just catching up to this and want to thank you and Team EPA for all of your thoughtful diligence in assessing and answering the many questions thrown at you by the various jurisdictions. Looking forward to Monday's discussions.

One question I'd like to vet with you at the outset on Monday has to do with the 1985 No Action Base Year versus the 2010 No Action Base year. Your very helpful prior e-mail on this topic is pasted below; in December 2017 an additional 1.14 million pounds total nitrogen and 100,000 pounds of total phosphorus was justified based on these model runs (and essentially confirmed at the PSC meeting). Q. Was this calculation run again as between the NY Phase 5.3.2 run and the NY Phase 6 run?

One of the reasons I am asking is that the NY 1985 nitrogen baseline jumps from about 14 million pounds per year under Phase 5.3.2 to about 19 million pounds per year under Phase 6 (we'd need to get the exact numbers). What I am worried about is whether the recently revised model operates to dilute NY's nitrogen and phosphorus allocations under the formulation that ultimately resolved the TMDL allocation in 2012 (my very quick review did not seem to include any numbers on phosphorus related to this concern, but we are interested in that as well).

$$\frac{1.14 \text{ M}}{X} = \frac{14\text{M}}{19\text{M}}$$

$$X = 1.547\text{M}$$

Excuse my sixth grade math, but doesn't NY's equitable TMDL allocation go up proportionately – roughly 26% or so for nitrogen?

Regards, Jim

From: Batiuk, Rich [mailto:Batiuk.Richard@epa.gov]

Sent: Sunday, January 21, 2018 6:43 PM

To: Kosinski, Kenneth A (DEC) <kenneth.kosinski@dec.ny.gov>

Cc: Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; Lewis Linker <Linker@chesapeakebay.net>; Power, Lucinda <power.lucinda@epa.gov>; McNally, Dianne <mcnally.dianne@epa.gov>

Subject: Confirmation of Additional N and P Pounds to New York Under the Phase 6 Ches Bay Watershed Model

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Ken-

As a follow up to the December 19-20 Chesapeake Bay Program Partnership's Principals' Staff Committee meeting, Chesapeake Bay Program Office staff re-ran the allocations methodology using the Phase 6 suite of models factoring in a 1985 No Action base year (versus the same approach using the 2010 Phase 5 suite of models) and generated very similar additional nitrogen and phosphorus loads—1.14 million pounds total nitrogen and 100,000 pounds total phosphorus with the Phase 6 model suite—as provided to New York under the 2010 Chesapeake Bay TMDL—1 million pounds total nitrogen and 100,000 pounds total phosphorus with the Phase 5 model suite.

Let me and Lew Linker know if you have any questions about this scenario analysis.

Thanks, Rich

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Subject: Explanation of New York's Draft Phase III WIP Planning Targets Briefing Paper

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Jim/Ken/Lauren-

Thanks for making time on your respective schedules to talk with us on Monday afternoon and sharing your questions and concerns with us in advance. In preparation of our 2PM conference call, attached please find our "Explanation of New York's Draft Phase III WIP Planning Targets" briefing paper. I look forward to walking you all through the paper, answering any remaining questions, and discussing how we proceed from here.

Thanks, Rich

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<Explanation of New York's Draft Phase III WIP PlanningTargets-Supplemental Graphics and Tables.docx.secure>